

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAE SOON JUNG,

Plaintiff,

- against -

LORETTA LYNCH, Attorney General of the United  
States and U.S. Citizenship and Immigration  
Services,

Defendant.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

**ORDER**  
16-CV-4764 (RRM)

On August 25, 2016, plaintiff Jae Soon Jung petitioned this Court for a writ of mandamus, seeking to compel defendants to adjudicate her application for T Nonimmigrant status. (Compl. (Doc. No. 1).) On June 8, 2017, defendants filed a request for a pre-motion conference (“PMC”) in anticipation of filing a motion to dismiss this action as moot. (PMC Letter (Doc. No. 11).) The PMC Request explained that the USCIS had issued a decision on plaintiff’s application. (*Id.* at 2.) The Court ordered plaintiff to respond to the PMC Request by October 17, 2017, (Order of 10/10/2017), but plaintiff failed to do so.

On October 20, 2017, the Court issued an order directing plaintiff to show cause in writing by November 10, 2017, why this case should not be dismissed for failure to prosecute or failure to comply with court orders pursuant to Federal Rule of Civil Procedure 41(b). (Order of 10/20/2017.) The Court warned plaintiff that the Court would likely dismiss the action if she failed to comply with the Order. (*Id.*) The Court further ordered defendants to serve a copy of the Order and to file a declaration of service on the docket. (*Id.*) That same day, defendants

filed a declaration of service stating that they served the Court's October 20, 2017, Order on counsel for plaintiff. (Declaration of Service (Doc. No. 12).) Again, plaintiff did not respond.

On February 27, 2018, the Court issued another order directing plaintiff to show cause in writing by March 9, 2018, why this case should not be dismissed for failure to prosecute or failure to comply with court orders pursuant to Federal Rule of Civil Procedure 41(b). (Order of 2/27/2018.) The Court again warned plaintiff that the Court would likely dismiss the action if she failed to comply with the Order. (*Id.*) The Court further ordered defendants to serve a copy of the Order and file a declaration of service on the docket. (*Id.*) That same day, defendants filed a declaration of service stating that they served the Court's February 27, 2018, Order on counsel for plaintiff. (Declaration of Service (Doc. No. 13).) To date, plaintiff has not shown cause in writing why the complaint should not be dismissed for failure to prosecute or failure to comply with court orders.

As plaintiff has not filed a response to either of the Court's Orders to Show Cause and the time for her to do so has expired, the complaint is dismissed for failure to prosecute. The Clerk of Court is respectfully directed to enter judgment in favor of defendant and to close this case.

SO ORDERED.

Dated: Brooklyn, New York  
January 11, 2021

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
Chief United States District Judge